

Claim Rejections 35 USC §103

Claims 1, 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer in view of Dunn.

Meltzer is cited as disclosing a trimmer comprising various components typically found in a trimmer. Meltzer is incorrectly cited as disclosing a universal joint. Meltzer discloses in Col. 2, lines 25-29 a ball and socket joint. A ball and socket joint is distinct and different from a universal joint as typically understood in the art and described in the specification.

A ball and socket joint is characterized by a ball, or knob, working in a socket and permitting relatively free rotary movement of the ball shaft relative to the joint shaft. Conversely, a universal joint maintains the rotational relationship between two shafts that are not aligned. If the ball and socket joint were substituted for the universal joint of the present invention the function imparted by the universal joint would be eliminated.

One feature of the present invention is the ability to easily control the movement of the trimmer by rotating the handle. This is clearly set forth in paragraphs [00027] and [00028] of the specification. Rotation of the handle translates into a redirection of the trimmer. If the universal joint were replaced with a ball and socket any rotation of the handle would have no effect on the trimmer since the handle could rotate independent of the socket. The ball and socket joint would therefore decrease the maneuverability of the trimmer. If, for example, the trimmer rotated clockwise the operator would have no ability to correct the rotation. Rotating the handle would have no impact on the rotation of the trimmer. Similarly, if the operator desired the mower to rotate clockwise there is no handle motion which would cause that action. The Office has therefore combined references to form a combination which would be less maneuverable than a fixed handle.

Claim 1 is patentable as being directed to an invention which is neither anticipated, nor obviated by the prior art. A notice of allowance for claim 1 is therefore proper. Claims 2 and 5 depend from, and further limit, claim 1 and are therefore patentable for, at least, the same reasons as claim 1.

Removal of the rejection of claims 1, 2 and 5 under 35 U.S.C. 103(a) as being unpatentable over Meltzer in view of Dunn is respectfully requested.

Claim 3 is rejected under 35 U.S. C. 103(a) as being unpatentable over Meltzer and Dunn as applied to claim 1 and further in view of Savell.

Claim 3 depends from, and further limits allowable claim 1. Meltzer and Dunn fail to render the present invention obvious for, at least, the reasons set forth previously. Specifically, Meltzer and Dunn fail to teach a universal joint. Savell is entered as providing teachings directed to a lower grip. The handle of Savell is fixed relative to the trimmer. Savell not only fails to mitigate the deficiencies of Meltzer and Dunn but also teaches against the desire to have any moveable joint in combination with a lower grip.

Savell lacks teachings which could be combined with Meltzer and Dunn to teach the present invention. The rejection is improper and removal is respectfully requested.

A notice of allowance for claim 3 is proper and respectfully requested.

Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer and Dunn as applied to claim 1 and further in view of Kalmar.

Meltzer and Dunn fail as a primary rejection for the reasons set forth previously. Specifically, Meltzer and Dunn fail to teach a universal joint. The elements referred to in

Kalmar are for an auxiliary handle. The handle couple of Kalmar is totally different from the handle couple in claim 4. Equating the auxiliary handle in Kalmar to the handle couple in claim 4 is without merit. In claim 4 the handle couple is the couple that connects the handle to the universal joint. In Kalmar the handle couple is apparently the auxiliary handle. Applicant respectfully submits that this comparison is without merit and finds no basis in fact.

The rejection of claim 4 is based on an incorrect correlation of elements in the art. The incorrect correlation is improper and the rejection is also improper.

Removal of the rejection of claim 4 is proper and respectfully requested.

Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn in view of Meltzer and Braun & Deck.

Dunn and Meltzer fail as primary references for the reasons set forth previously. Meltzer does not teach a universal joint but instead teaches a ball and socket joint.

Braun & Deck teach a pull mower as opposed to the push mower of Dunn and Meltzer. Braun & Deck describes a mechanism for decoupling the handle from the motion of the mower to allow for traversing over stones and the like. If any combination were to be made it would be replacing the dual pivoting handle of Braun & Deck with the ball and socket of Meltzer. This would improve free movement of the handle relative to the trimmer as desired in Braun & Deck. There is no teaching suggesting that replacing the desired ball and socket of Meltzer with the dual pivoting handle of Braun & Deck with a specific wheel combination of Dunn would be advantageous. Dunn, Meltzer and Braun & Deck all teach decoupling, in some way the handle from the trimmer. Dunn does so vertically, Meltzer does so in all directions, and Braun & Deck does so in two directions. The present invention couples this handle with specific wheel

combinations in such a way as to provide a trimmer with greatly improved maneuverability.

This is contrary to the overall teaching in the cited art.

Removal of the rejection of claims 6-10 is respectfully requested based, in part, on the contrary teachings in the art.

Claims 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer in view of Dunn and Braun & Deck.

The rejection of claims 11-17 is substantially the same arguments used in the rejection of claims 6-10. Specifically, Meltzer is cited as teaching a universal joint. This is incorrect as described previously. Braun & Deck describe a universal joint to eliminate movement of the handle relative to the handle in a pull application. Braun & Deck are not capable of being steered since it is primarily designed to follow a pull device. The present invention combines a specific wheel arrangement with a specific handle arrangement to provide a device wherein the movement of the handle is specifically correlated to the motion of the trimmer in such a way that the trimmer can be maneuvered.

Only in hindsight has there been any reason cited for combining the cited art. Removal of the rejection of claims 11-17 is respectfully requested.